

Message

From: Levey, Brian [BLEvey@hunton.com]
Sent: 12/22/2020 1:08:34 AM
To: Hicks, Matt [Hicks.Matthew@epa.gov]
Subject: Florida Assumption - Effective Date
Attachments: pre-publication_version_of_12-17-2020_frn_-_epa_approval_of_state_of_florida_request_for_a_cwa_section_404_program-c.pdf; 2020-28232-c.pdf

Matt,

Thank you for taking the time to speak with me this evening. As I mentioned on the phone, the question is whether Florida's assumption of the 404 program will be effective tomorrow, December 22.

- The pre-publication Federal Register notice for Florida assumption released on Friday (12/18) stated: "Florida's program assumption will be effective [insert date of publication in the Federal Register]." (emphasis added).
- The draft publication notice released today (12/21) for publication tomorrow (12/22) states: "Florida's program assumption will be applicable [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]." (emphasis added)

Both documents are attached for your reference.

Thank you for your assistance. Any clarification or guidance you can provide on this issue would be helpful.

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